IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2638 OF 2003.
IN
SUIT NO. 2853 OF 2003

Narayandas Mathuradas.] .. Plaintiff

Versus

1. Haridas Devidas & Ors.] .. Defendants

Mr.Shyam Diwan i/b M & M Legal Venture for plaintiff.

Mr.Y.N. Adhiya for defendants.

CORAM: ANOOP V. MOHTA, J.

DATED: 16TH SEPTEMBER, 2005

P.C. :

1. Heard the counsel for the parties. In continuation of the order dated 21st November, 2003, and considering the rival contentions between the parties, apart from the 25% rights of the plaintiff, it is desirable that defendants shall file details of the occupants, area, rent, room number, if any, of the premises referred to in Exhibit-B at page 47 to the Plaint i.e. item Nos.2,3,4,5,6,8 and 9, within four weeks from today.

2. Learned counsel appearing for defendants also makes a statement that they will give inspection of the documents, if they are in possession of the same, as referred in the letter dated 5th March, 2004, issued by M/s. M & M Legal Venture to the Noticees Haridas, Jamnadas, Yeshwantiben and others.

3. Taking into account the rights of the parties involved and the controversy and as there is no objection to the confirmation of the interim order dated 21st November, 2003, the said order is confirmed. However, at the request and consent of the parties, as referred in item (i) in clause 2 of the said order, the period of "two weeks notice" is modified and it should be read as four weeks notice period in order to enable plaintiff to obtain better offers.

4. In view of the above reasons, the Notice of Motion is disposed of.

[ANOOP V. MOHTA, J.]

[srpasha@hc]